

DOCUMENT RESUME

ED 370 743

RC 019 642

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TITLE Oklahoma Indians and the Cultural Deprivation of an Oklahoma Cherokee Family.
PUB DATE Nov 93
NOTE 37p.; Paper presented at the Annual Meeting of the Speech Communication Association (79th, Miami, FL, November 18-21, 1993).
PUB TYPE Speeches/Conference Papers (150) -- Historical Materials (060)
EDRS PRICE MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS *Acculturation; *American Indian History; American Indians; *Cherokee (Tribe); *Cultural Background; Ethnicity; *Family History; Federal Indian Relationship; Intermarriage; Personal Narratives; Racial Identification
IDENTIFIERS *Oklahoma

ABSTRACT

This paper summarizes the history of Oklahoma Indians, highlights the Cherokee Nation of Oklahoma, and relates the story of the family of one Oklahoma Cherokee woman, Lou Jane Morgan Jernigan. Oklahoma is the state with the largest population of Indians, largely due to federal policy in the 19th century, which forced Indians into Oklahoma (or Indian) Territory. Federal policy sought to assimilate Indians into White culture, particularly by sending Indian children to boarding schools and relocating Indian families away from their tribes. Today, Oklahoma Indians represent a nondominant subculture. The history and culture of each tribe impact tribal members in varying degrees and diverse manners, as individuals experience assimilation to different extents, ranging from total to marginal. Indian students in White educational institutions often feel they must choose between cultures, and allegiance to family and home may lead to dropping out. The story of the Morgan-Jernigan family illustrates the dilemma of many Native people who live in an Anglo world and who must learn to survive in a different culture. The Cherokee Morgans intermarried, assimilated to a degree, and eventually moved to McIntosh County, Oklahoma. Lou Jane Morgan was born in Oklahoma and married Benjamin Harrison Jernigan. In the face of prevailing racism against Indians, she patterned her married life and raising of her nine children after the Irish culture into which she married. In her nineties she finally made peace with her Cherokee heritage when she attended the ceremony of the first Cherokee woman elected Principal Chief of the Cherokee Nation in 1985. Her descendants are attempting to return to their Cherokee heritage. Contains 45 references. (KS)

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Cultural Deprivation of an Oklahoma Cherokee Family

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Abstract

This paper has three areas of focus: (1) a summary of the history of Oklahoma Indians, (2) an overview of the Cherokee Nation of Oklahoma, and (3) a personal narrative about the family of one Oklahoma Cherokee woman--Lou Jane Morgan Jernigan. The Oklahoma Cherokee-Irish family's experiences are the experiences of many native people who live in an Anglo world and who must learn to survive in a different culture. The paper discusses the Jernigan family, its loss of Indianness, and the family's attempt to return to its Cherokee traditions.

Oklahoma Indians and the
Cultural Deprivation of an Oklahoma Cherokee Family

Introduction

This paper examines the history of Oklahoma Indians¹, focuses on the Cherokee Nation in Oklahoma, and provides a narrative about an Oklahoma Cherokee family deprived of its native culture. The story of how Indians came to Oklahoma is the story of removal of native people from their lands, broken treaties and promises, and the regeneration of tribes and their cultural deprived tribal members.

The time was 1985; the place was Tahlequah, Oklahoma. The event was the ceremony that named Wilma Mankiller as the first woman to be Principal Chief of the Cherokees. At that gathering of Cherokees, Lou Jane Morgan Jernigan, 92 years old, was honored as the oldest living Dawes Commission (General Allotment Act, 1987) enrollee on the Indian Roll. The event marked the reconciliation of Lou Jane with her tribe--a 75 year separation from all Cherokee culture. The story that explains why this woman and her family were deprived of their Cherokee culture parallels the history of Oklahoma Indians and the Cherokee tribe.

Oklahoma and its Native Americans

The 1980 Census Report and the 1990 Census Report show Oklahoma to be the state with the largest population of Indians-- 8% of the population or 252,089 out of a total population of 3,145,585. The 1990 census figure of 252,089 Indians is up from

the 1980 Census Report in which the Indian population was only 5.3% of the total population. All Indian rolls have increased during the last ten years. This is sometimes attributed to the poor economy in Oklahoma causing people to attempt to benefit from Indian health, food, and employment benefits (Shaver, 1990; P. Shaver & L. D. Shaver, 1992a, 1992b; Sly, 1993).

Indians reside in all 77 counties of the state, but census reports reveal that over 80% of Oklahoma Indians live in the eastern portion of the state. Very few Indians live in the panhandle--the far western part of the state. No accurate Indian census figures exist (Boyle, 1989; Kim, Lujan, Shaver, & Boyle, 1991; Kim, Lujan, Glenn (Shaver), Boyle, McDowell, & Winton, 1989; Lingerfelt & Selland, 1984). The federal government, Oklahoma state government, local city and county governments, and Indian tribal leaders--all give different answers regarding the number of Indians. The U.S. census does not ask for tribal affiliation, and even the gross figures are suspect because of the methods of data collection. The total figures for Indians and other minorities have been sharply criticized in the press. While over 100 tribes are represented by Indians living in Oklahoma, only 34 of those tribes are federally recognized. Just as determining the Indian population of Oklahoma is problematic, so is relating the complex history of Indians in Oklahoma. Many of the current Indian problems are closely tied to that history.

Early History

The first recorded White exploration in Oklahoma--the Coronado expedition--recorded encounters between Indians and Whites in 1541 (Wright, 1951/1986). It is also known that several Western plains tribes (i.e., Apache, Kiowa-Apache, Pawnee, Comanche, Wichita, Caddo, Sac and Fox, Potawatomi, Kickapoo, Seneca, and Delaware) used the land as migratory hunting grounds. Although Indians hunted in what is now Oklahoma and passed through the area, no Indian tribe is indigenous to Oklahoma.

The reasons why Oklahoma currently has the highest Indian population are the same reasons that contribute to the current status of American Indians, including Cherokees, in Oklahoma today. Federal policy has controlled the history of Oklahoma and its Indian residents. Past and present policies continue to control Indian land, health, and socioeconomic status.

The land mass now known as Oklahoma was divided into two parts; the eastern portion was called Indian Territory, which originally stretched into what is now known as Minnesota, Wisconsin, the Dakotas, and other western states (Bolt, 1987/1990). The western portion was called Oklahoma Territory. Chief Allen Wright's name for the state is from the Choctaw language--okla and homa--which means "home of the Red people." (Strickland, 1980, p. 6). Cohen (1942) notes that separate treaties, legislation, and federal policy created the two halves.

The western half--Oklahoma Territory--became a nonreservation holding area for rebellious nomadic hunting tribes, the tribes previously mentioned. These plains tribes had been pushed off of their ancestral lands by settlers who were driven by the country's policy of Manifest Destiny (Bolt, 1987/1990; Filler & Guttman, 1962; Wright, 1951/1986). A reduced Indian Territory, in what is now known as eastern Oklahoma, became one of the bargaining chips in the early nineteenth century as the woodland, agricultural tribes, known as the Five Civilized Tribes (e.g., Cherokee, Chickasaw, Seminole, Creek, and Choctaw), were forced out of their homes and off of their lands in the Southeast in the U.S. and moved to Indian Territory. The appellation--Five Civilized Tribes--given by the Whites was in contrast to the name--Wild Tribes--given to the plains Indians who had been marched into western Oklahoma from the West.

During the early to middle parts of the nineteenth century, both eastern and western Indians were ordered by the federal government to leave native grounds, previous federal holding centers, or prisons, and they were forced to go to Oklahoma Territory or Indian Territory. The few provisions that were made for the Indian removals were tragically inadequate. Men, women, and children died of pestilence, starvation, and exposure during these forced marches, including over 4,000 on the Trail of Tears when the Cherokees were moved in 1838 (Bolt, 1987/1990; Filler & Guttman, 1962; Wright, 1951/1986).

After suffering the loss of native lands and familiar environments, these tribes suffered by the enforced proximity of incompatible tribes forced to live together. Further, treaty promises were broken by the opening of lands to more White settlers, including the famous or infamous Oklahoma Land Run of 1889, during which a large area of the center of the state--the Unassigned Lands--was opened to White settlement (Strickland, 1980; Washburn, 1971; Woodward, 1961; Wright, 1951/1986). Shortly after the Run of 1889, the discovery of oil further complicated the future of the Indian, especially the Osage, just as the discovery of gold in North Carolina earlier had contributed to the loss of native lands. The relationship of Indians to their lost lands and, specifically, their new lands is another key element in understanding Oklahoma Indians.

The Land and the Indian

Strickland (1975) writes:

Oklahoma Indians lost their vast tracts of tribal land as a result of allotment schemes, and as a result of extensive contact with the white civilization, experienced extreme tribal disorganization. Without land or hope, wide-spread depression and demoralization gripped the Indian population. Forced into the bewildering position of deciding whether the culture of their ancestors or the dominant white [sic] civilization would govern their lives, many Indians, unable to cope with the heavy tempo of adjustment, tragically became victims of suicide, delinquency, and mental illness; it should come as no surprise that many American Indians are in a state of emotional, behavioral, or mental distress. (p. 5)

While each Indian tribe is unique and few scholars advocate the concept of a pan-Indian culture, the importance of the

relationship of Indian tribes to their land can be generalized to some degree (Strickland, 1975; Washburn, 1971; Wright, 1951/1986). Individual ownership of the land was not practiced by the tribes. The land nurtured all who lived on it. The relationship of the land to cultural and religious beliefs was vital to the Indian. The displacement of the Indian from native lands, the removal to new lands, and the loss of contiguous tribal lands in Oklahoma by the Allotment Act, 1887, and other federal policies, contributed to the cultural deprivation of the various tribes (Deloria, 1974/1988; Lujan & Glenn (Shaver), 1989; McNickle, 1973). This cultural deprivation of the tribal units was replicated in individual families.

The reservation system of land, which the federal government used in the West with the Apache, Navajo, Pueblos, and other tribes, was attempted in Oklahoma and discarded when found to be impractical from an economic and military perspective (Washburn, 1971). The only tribe which has a reservation in contemporary Oklahoma is the Osage Tribe (Boyle, 1989).

The remainder of the tribes assigned to Oklahoma were given land holdings, which have eroded through time, government intervention, and misuse of the law. The tribes were later bypassed in their authority, and each Indians were given an allotment of land, according to each tribe (Cherokees received 110 acres and a 40 acre homestead (Allotment Act, 1887; Bolt, 1987/1990). Through legal and illegal means, most of the

allotments eventually found their way into the hand of White settlers. The federal decision to use allotments had several purposes: (a) the Indians were alienated from their culture and religion; (b) they became powerless as a nondominant subculture; and (c) having no central land base, the tribes began to disintegrate (Bolt, 1987/1990; Deloria, 1974/1988; Folb, 1988).

Strickland (1980) discusses several other factors. After the government perceived that a military victory over the Indians was a long, costly, and never-ending project, it determined that the "Indian problem" was to be solved by the assimilation of the Indian into the mainstream society by the systematic destruction of the tribes' cultures. The saying, "The only good Indian is a dead Indian," became, "The only good Indian is an assimilated Indian."

Wahrhaftig and Thomas (1970) note that in Oklahoma during the 1960s the "pervasive social fiction" was: (a) that Cherokees were a "vanishing breed"; (b) "that real Cherokees [were] about 'bred out'"; that "in twenty years, according to white myth, the Cherokee language and with it the separate and distinctive community that speaks it will fade into memory" (p. 43).

Berkhofer (1978) notes that the word "civilization" was a code word for cultural genocide. Assimilation, a work acceptable to most mainstream members of society, was also used as an euphemism for cultural genocide.

According to Berkhofer (1978), Bolt (1987/1990), Strickland

(1980) and others, several methods were used to accomplish the goals of cultural genocide. First, Indian children were taken from parents and sent to Bureau of Indian Affairs (BIA) boarding schools. While at these schools, children were forbidden to speak their native language, wear their own clothes, or practice any traditional cultural activities. They were physically punished when they broke these rules. By depriving the children of their parents' influence and by not allowing the children to practice their culture, they were able to produce a generation of Indian adults who had been rewarded for being White and punished for being Indian. Second, the loss of the land deprived Indians of cultural and religious ties with one another, resulting in further adaptation to White culture. Third, Indians had a unique--unlike any other minority--relationship with the federal government. Indians are federal dependents, bound by a multitude of laws, policies, and practices that control their present lives. They remain the only minority that must prove their minority status by documentation (Atteneave, 1985; Glenn (Shaver), 1990; Lujan, 1990; Lujan & Glenn (Shaver), 1989; Stedman, 1982; Strickland, 1980; Washburn, 1971).

Federal policies contributed to the cultural deprivation of many Indian people (Strickland, 1980; Wright, 1951/1986). The Thomas-Rogers Oklahoma Welfare Act of 1936 resulted in the dissolution of the tribal governments with the loss of all rights previously held, rendering tribal activity to be negligible.

Other decisions by the Bureau of Indian Affairs (BIA) are noted by Berkhofer (1978), Strickland (1980), Washburn (1971), and Principal Chief of the Cherokees Wilma Mankiller (in a speech given at the University of Oklahoma, 1988) to have been negative to the Indian family. Chief Mankiller noted that during the 1950s, the Bureau of Indian Affairs (BIA), concerned about the widespread economic poverty of Native Americans, began a program of relocation for Indian families. Indian families, with few job skills and who lived in rural areas, were moved from their homes and extended families to poor urban settings. The result was further fragmentation of families, tribes, and cultures. Chief Mankiller (1988), a child whose family was moved to San Francisco under this act, said, "Urban poor is much harder than rural poor. At least in rural Tahlequah [Oklahoma], we could eat."

Current Status of Indians in Oklahoma

Understanding Indian Tribal Governments (1984) notes that the modern era of self-determination for Oklahoma tribes came from court decisions of the mid-1970s (Indian Self-determination Act, 1975) which served to reinstate the "special relationship between all tribes [original emphasis] and the federal government" (p. 41). Challenges to the breaking of numerous treaties heightened awareness of minority rights (resulting from the Civil Rights Acts of the 1960s), and changing court decisions eventually led to self-determination by tribal governments (Cohen, 1942; Indian Self-determination Act, 1975; Strickland,

1980; Understanding Indian Tribal Government, 1984; Washburn, 1971). The reassignment of some lands and payments of damages marked a new era in Indian affairs.

While Indian governmental powers have not, in general, been specifically granted, these powers have been viewed as "inherent powers of a limited sovereignty which have never been extinguished[as first ruled by] Chief Justice John Marshall's opinion in *Worcester v. Georgia* (Understanding Indian Tribal Governments, 1984, p. 60). The federally recognized tribes in Oklahoma are now self-ruling, doing battle with the federal, state, and local governments when necessary, but ruling themselves in ways last seen in the nineteenth century (Bolt, 1987/1990; Deloria, 1974/1988; Deloria & Lytle, 1983; Lujan & Glenn (Shaver), 1989; Rader, 1978³).

The Contemporary Oklahoma Indian

The Indians who are members of the self-ruling tribes live their lives in many different ways. The questions "Who is an Indian?" and "Are you Indian?" and "How much Indian are you?" can bring a variety of answers. The answers often vary according to who is asking the question: an individual, a representative of a federal, state, or county government, or a tribal official (Wardell, 1977). Indians may not have identifiable Indian racial features because of intermarriage; their names may not be traditional; or they may have an Indian "look" but not have documentation to prove their heritage. How is it then that one

can identify an Indian or how is it that one can know if one is Indian? Pratt (1985) would say that the ultimate identification comes from the person who knows if he/she is Indian. Ironically, the U.S. census forms provide one of the few legal instances in which individuals are allowed to say that they are Indian without documentation.

Cohen (1942) says that at one time the federal government established a 1/4 blood quantum minimum for participation in federal Indian programs. This necessitated a paper trail which put the burden of proof on the Indian. Since the 1970s and tribal self-determination (Indian Self-determination Act, 1975), tribes have been allowed to establish their own criteria, but within federal guidelines, to determine their legal members.

The Certificate of Degree of Indian Blood (CDIB) is a legal document, a card carried on one's person. To obtain one of this cards, one must establish blood kinship with a person (living or dead) who was counted or identified as Indian on any of the many Oklahoma Indian censuses taken during the 1800s and early 1900s. To establish legal and recognizable proof of being a member of a tribe, one must prove one's quantum with Anglo paper--birth certificates, death certificates, marriage licenses, family bibles, sworn statements, and so forth. Ironically, the more assimilated that the Indian family is the easier it is for them to prove that they are Indians. As Wardell (1977) notes, the quantum listed is usually lower than what is accurate because of

the manipulation of the rolls both by Indians and Whites. Indians were fearful of putting the accurate amount because it would restrict their rights; Whites enrolled people without their knowledge for their own nefarious purposes.

The same paper trail is necessary for a tribal membership card; therefore, many Indians in Oklahoma carry a CDIB card and a tribal card. Additionally, some persons qualify for two Indian rolls because their parents are from two different tribes. Indians cannot receive financial assistance or benefits from two different tribes. Therefore, an Indian must choose tribal affiliation, an act which in effect is an act of alienation against the tribe not selected.

To summarize, no universally accepted criteria is available to answer the question, "Who is Indian?" One is identified as an Indian in a multitude of ways: by oneself, one's peers, the federal government, the state government, and the tribe. The modern Oklahoma Indian has a position in society which is on a continuum that has polar positions.

At one extreme will be an Indian who can be described as an assimilated Indian, a person who is Indian only because of legal verification of Indian heritage with a roll number from a relative (Strickland, 1980; Wright, 1951/1986). According to Bochner (1982), assimilation is the process which occurs when people adopt, by choice or because one has no choice, the customs, beliefs, folkways, and lifestyles of a more dominant

culture. Assimilated Indians have little knowledge about their tribe other than the name and the same knowledge about that tribe or "Indianness" (Pratt, 1985, p. 1) that any person in Oklahoma might have after finishing a high school education in a public school. These people have a White appearance and few or no contacts with the tribe.

At the opposite end of the continuum are Indians who live among Indians and are probably from a rural area. They share a heritage of their tribe, an oral history, dance, traditional medicine, and language; all of which contribute to the totality of their life. These people may have an obvious Indian physical appearance, and they tend to spend time with family and friends who are Indians (Pratt, 1985; Rader, 1978; Wahrhaftig and Thomas, 1970).

Utilizing extensive survey data, Kim, Lujan, Shaver, and Boyle (1991) and Kim, Lujan, Glenn (Shaver), Boyle, McDowell, and Winton (1989) draw some conclusions about urban and rural Oklahoma Indians. Traditional and nontraditional, urban and rural Indians alike will refer to their rural "home" origins. While Indians are found in rural and urban areas, they leave rural areas to find work in urban areas, but they spend most of their free time commuting back to their real "homes." They often leave the smaller towns in Oklahoma because they do not have the governmental assistance plans that are available in larger town.

Kim, Lujan, Shaver, and Boyle (1991) also noted certain

other trends among Oklahoma Indians. Indians who are professionals, will be found in larger urban areas near governmental centers of employment--federal, state, and higher education institutions. The traditional urban Indian will have some contact with Indians or Indian support groups (pow-wow groups, social groups, or religious groups) and make frequent trips back "home." The rural traditional Indian will have many contacts with other Indians and local clubs.

The allegiance to family and "home" is one of the reasons for the high drop-out rates for young Indians in higher education. The White system and style of education makes cultural demands on the Indian students, who often feel that they must choose between the White world and their Indian culture (Shaver, 1993). In a study of women offenders in an Oklahoma correctional center, interviews and surveys revealed that Indian women, who strongly self-identified as Indian, received more family visitors, maintained more contact with family, and persisted in a stronger, more positive self-image (Shaver, 1993; Fletcher, Shaver, Moon, 1993). Many unskilled urban Indians tend to live on the edges of towns, but Indians do not have Indian neighborhoods. Reasons for the absence of such neighborhoods have never been conclusively proved but could be related to the following: (a) lack of social or legal restrictive housing rules for Indians such as those which have existed for African Americans; (b) differences in migration to the cities; (c) family

configurations; (d) work interests; (e) weekend commuting habits, and so forth.

Many Indians in both urban and rural areas have access to tribal newspapers or newsletters. This was a tradition that began when the Cherokees first arrived in eastern Oklahoma. Urban Indians will know and work with more people of other racial backgrounds than rural Indians do, but like rural Indians, few Indians will have friends or political coalitions with friends who are racially different. Their friends will more likely be White than African American or Hispanic. In general, more traditional Indians live in rural areas, but they may work in urban areas, visiting family and friends in their rural "homes" whenever possible. Most Indians have a perception that the two major Indian towns--in the East Tahlequah and in the West Anadarko--treat Indians better because of the high populations of Indians who shop there. On the other hand, in both of those towns, Whites own most of the businesses, and the majority of the teachers and administrators are White at the public schools (Kim, Lujan, Shaver, & Boyle, 1991; Sly, 1993).

In general, both traditional and nontraditional, urban and rural Oklahoma Indians perceive that there is racial bias against Indians (Kim, Lujan, Shaver, & Boyle, 1991; Rader, 1978). Wahrhaftig and Thomas (1970) say, "'racist'" perceptions and relationships are the 'motor' driving the system and are embedded in the very day-to-day relationships"; Rader (1978), in speaking

of McIntosh County (a county south of Tahlequah with large populations of Cherokee and Creek Indians says, "ethnic peoples . . . [are] overlooked and underrated by the dominant White power structure" in Oklahoma.

Oklahoma Indians represent a nondominant subculture. Each tribe has a unique history and culture. These impact tribal members in varying degrees and diverse manners as Indians are on a continuum of assimilation which ranges from total to marginal. As respondents to a state wide survey of Indians said, "We live in two world" (Kim, Lujan, Shaver, & Boyle, 1991.

Tsalagi

Oklahoma Cherokees and a Family's Story

Early History

This legend of Tsalagi was reported in 1830 as a part of the southeastern Cherokees' petition as they attempted to resist removal to Oklahoma in the Supreme Court of the United states:

That the Cherokees were the occupants and owners of the territory in which they now reside before the first approach of the white men of Europe to the western continent; "deriving their title from the Great Spirit [Asga-Ya-Galunlati] who is the father of the human family and to whom the whole earth belongs." Composing the Cherokee Nation, they and their ancestors have been and are the sole and exclusive masters of this territory, governed by their own laws, usages, and customs. (in Woodward, 1961, p. 18)

Evidence of early habitation of the ancient Cherokees in the Great Lakes area and results of linguists' research suggest that Cherokee and Iroquoian languages are similar. The early origins of Cherokees are disputed, but from early White contact by De

Soto in the 1500s, the Cherokees are reported to have had dominion over large land masses. They waged war against their enemies, cultivated crops, and enjoyed better health than any other time, excluding the latter part of this century (McLoughlin, 1986; Shaver, 1990; Twaddle & Hessler, 1987; Woodward; 1961).

From these early days of somewhat peaceful contact and trading with Whites, the Cherokees chose the losing side in various conflicts. According to McLoughlin (1986),

By 1790 the Cherokees were no longer sure of their place in the universe. Not only had they suffered many bloody and devastating defeats in battle . . . but ever since their first regular contact with Europeans . . . they had gradually lost touch with important aspects of their old ways of life . . . Although they were one of the largest tribes east of the Mississippi in 1690, their population decreased by more than half by 1740--from over 20,000 to less than 10,000 . . . They lost more than 50,000 square miles . . . [and] thousands of their people were driven from their homes and forced to resettle further inland. (p. 3)

As McLoughlin (1986) continues with the story of the Cherokee renaissance from the late 1700s through the time of removal, he discusses the amazing changes of the tribe. The Cherokees, of necessity, changed from a people united by "language, customs, and kinship" (p. xvii) to a nation that made the transition from a hunting to a farming economy and "accepted the 'civilizing' policy of the Whites, pressing forward to adapt to the new situation" (p. xviii).

The Cherokee adaptation to White ways incorporated some of their own traditions and the parts of the ideology of the

dominant culture (Deloria, 1974/1988; Bolt, 1987/1990). By 1820, a portion of the Cherokees were a generation of Anglo-educated land owners of substance who presented a formidable challenge to the U.S. government and the poorly educated settlers who kept encroaching on their land. The legal pressure began to force out these Indians who were more frightening than the "blood-thirsty savages" of earlier days.

The Cherokee Morgans and the Irish Jernigans

During the 1600s, both sides of the Morgan-Jernigan family were involved in the events that decided their ultimate and joined destinies. The Jernigans, Irish immigrants, arrived in the late 1600s meandering from one southeastern state (e.g., Virginia, North Carolina, Tennessee) to another, looking for a permanent home. At the same time, the Morgans, members of the Deer Clan, kept moving farther west, pushed out by White newcomers. Prior to the removal in 1838, many of the Morgans moved to Arkansas while some went to Texas. During this pre-removal time, Cherokees were "encouraged" to move to Arkansas, Texas, Missouri, and Kansas by the federal government, who used both persuasive and coercive methods. The purpose was to get Cherokees out of mineral and farming-rich lands in the Southeast (Bolt, 1987/1990; Woodward, 1963; Wright, 1951/1986).

The Cherokee Morgans, who moved to Pope County in Arkansas, prior to the enforced removal along with many other Cherokees, intermarried, assimilated to a degree, and eventually moved to

the eastern portion of Indian Territory now known as Checotah, Oklahoma, McIntosh County. Cherokees who left the South during this time were called the "Old Settlers" (Woodward, 1963). Later federal decisions about counting Indians would cause the Arkansas, Texas, Missouri, and Kansas Cherokees to be unable to affiliate themselves legally with their tribes. According to the federal government, they were not Indians because they were not counted in the Dawes Commission census. They were forever labeled as White. The Morgans, who went to Texas, and their descendants, therefore, are not legal Cherokees, unlike the branch of the family who moved into Oklahoma during the late 1800s.

The Trail of Tears was the 1838 federally mandated removal of the Five Civilized Tribes from the Southeast to Indian Territory. Many thought that the defeat and dissolution of the Cherokee Nation was inevitable when 4,000 people died during their forced march; when the tribe suffered because of the unfulfilled promises of the federal government; and when the bitter in-fighting between the Ridge family and the Ross family caused Cherokee to fight Cherokee.

In spite of these problems, the Oklahoma Cherokees: (a) rallied as a nation; (b) built schools and seminaries for both male and female; (c) established economic stability; (d) organized agricultural societies among the men with homemaking skill groups for the women; and, in general, (e) flourished as a

nation in a new land. The general prosperity resulted in the following, as told by Woodward (1961):

[In] 1859 George Butler, the Cherokee agent reported to the commissioner of Indian Affairs that the population of the Cherokee Nation was 21,000, 4,000 of whom were eligible to vote. Living among the Cherokees were 1,00 whites and 4,000 Negroes (including slaves). The Cherokees had 102,500 acres in cultivation There were, in 1857, 30 (public) schools in the Nation, attended by 1,500 pupils; and the teachers were, with the exception of 2, all Cherokee.

Thus, the Cherokee Nation basked in the warm summer of achievement. Winter and want were forgotten. The war clouds that hung low over the North and South of the United States were, in the parlance of the Cherokees' slaves, "too heavy to tote themselves over the Arkansas [River]." (p. 252)

The war clouds and the war issues did cross the Arkansas River. The Cherokees, after much indecision, placed their allegiance with the Confederacy. Once again, the Cherokees were on the losing side; they lost almost everything, including much of their land. Not until the self-determination act of the 1970s did the Cherokee Nation begin to rebuild towards its national sovereignty.

The Morgans in Oklahoma

McIntosh County has two towns of significance. Checotah and Eufaula, Oklahoma. In post-Civil War times, Creeks and Cherokees shared land allotments uncomfortably in their new county. New rules required a White guardian for each Indian to do business. Records of quantum were manipulated when possible by Indians to ensure that their family wouldn't have to have a White guardian appointed to handle their business. White guardians often took

unfair advantage of the Indian (Berkhofer, 1978; Bolt, 1987/1990; Deloria, 1974/1988; Deloria & Lytle, 1983; Wardell, 1938/1977).

The Morgans, along with other Cherokees, left Arkansas after the Civil War and went into Oklahoma. Lou Jane Morgan was born in Oklahoma, and her mother and father, and siblings lived in sod houses and tents. In her last years, Lou Jane would talk about times when the Indians would get together and how she remembered the death of male relatives in altercations with White men who tried to steal their land or who had disputes with other Indians. All the Morgans spoke both English and Cherokee. The younger children spoke it less as their contacts with other Indians decreased as Lou's mother stopped going to Indian meetings because the baptist minister said it wasn't Christian or civilized. Lou went to public schools, one-room schools in the country, and attended a rural baptist church with her family.

After her father deserted the family, Lou Jane and her family were isolated and destitute. When her mother became seriously ill, Lou Jane walked miles to the nearest rail trestle, jumped on a train, and rode to Checotah. She begged the White doctor to come see her very ill mother. The doctor refused, but he sent medicine and a piece of paper that her mother was to sign to pay for the medicine. The paper gave their land to the doctor, whose family owns it to this day. Without land, the family moved onto relatives' land, until each child married.

The Irish Jernigans had arrived in Oklahoma in the late

1800s, and Benjamin Harrison Jernigan married a Cherokee woman named Lou Jane Morgan in 1910, repeating a pattern of Irish marrying Indian women. Benjamin was an Irishman who was very different from many of the young men that Lou Jane knew. He didn't carry a gun; he wasn't Indian; he worked with machines; and he wanted to live in town--the city of Checotah, county of McIntosh.

With many such marriages, the family was not an Indian family but a White family. With good reasons, the Indian women reframed themselves to fit their husband's family. Lou's mother Melinda Morgan moved in with the Jernigans. The only Public Indian in the family was Melinda. She spoke Cherokee, wore the many long skirts and multiple petticoats, tied a band around her head when she had "the headache," doctored the children with herbs and Cherokee remedies, made the soap, and furiously cleaned the "town" house just as though it were the old "sod" house. Her battle against the endemic dirt of the Oklahoma plains was inherited by her daughters and her daughters' daughters. Melinda and Lou Jane passed on Cherokee traditions, primarily implicit, of trusting family, supporting family, handling conflict through indirect means, keeping the peace in the household, and so on. Melinda tried to teach Cherokee to Lou's nine children, but the father forbade them to speak it. She succeeded in teaching it to only one grandchild, the one who was her constant companion until Melinda's death in 1936. The last Cherokee speaker was the

author's mother Margaret Lucille Jernigan Dixon, who was twelve when her grandmother died. She was forbidden to speak Cherokee or attend Cherokee gatherings. Ironically, her best friend was Creek. Unknown to her folks, her only childhood rebellion was to attend pow-wows and other Creek gatherings.

The Contemporary Cherokee Indian

In the Cherokee tribe, intermarriage with Whites or other tribes was never considered taboo. As a result, Cherokees intermarried earlier and more often than many other tribes which actively discouraged such marriages (Rader, 1978). There is no quantum requirement to be a member of the Cherokee Tribe. One must show a paper trail from that individual back to the relative (living or dead) who was counted on the last Dawes Commission Census after the turn of the century. This means that, hypothetically, the descendants of tribal members are designated Cherokee in perpetuity. John Ross, Chief of the Cherokees during the removal, is typical of many "blue-eyed" Cherokees. Ross was 1/4 Cherokee. On the other hand, according to Turner Bear (1990), Director of Higher Education for the Cherokee Nation and Gloria Sly (1993) Assistant Director of Higher Education, some benefits given to Cherokees have been restricted to at least 1/4 Cherokees (e.g., until 1990, higher education scholarships were limited to 1/4 Cherokees).

Lou Jane Morgan Jernigan patterned her married life and the raising of her children after the dominant culture--the Irish

immigrant family into which she married. Her language, behavior, and practices were typical of her neighbors. Her children were raised to be White; she waited 75 years to make her peace with her people. Her children and her grandchildren, did not hear her talk about being "Indian" until she was in the last decade of her life. While family members knew that they were Indian, the knowing did not include living the culture.

Lou Jane's story is not an uncommon one. The story is a taken-for-granted tale of assimilation or civilization of the American Indian. The "why" of this story is that being Indian in Oklahoma after the Civil War and the Land Run was a dangerous way to live. The more Indian that you looked or the more Indian that you acted or the more Indian that you spoke, the more that you were likely to suffer discrimination, abuse, and punishment from the legal system and society. These reasons are many, varied, and multilayered.

In everyday life and society, the sanctions against Indians in Oklahoma from the dominant White culture were strong, ongoing, economic, and, often, violent. Being a traditional Indian was considered antisocial and resulted in that person and his/her family being ostracized and damaged. Laws were different for Indians and Whites (e.g., voting privileges and buying alcohol were restricted to Whites) . The Anglo men who married Indian women often insisted that the women no longer be Indian. Many times, the women were never again public Indians. Many women

like Lou Jane obeyed their husbands and followed a defensive pattern of behavior that left their Cherokee culture in their past (Berkhofer, 1978; Bolt, 1987/1990; Deloria & Lytle, 1983; Rader, 1978; Wardell, 1938/1977). Why have contemporary Cherokee families been deprived of their cultural heritage? Their lives, their language, and their practices were cultivated to resemble the White culture. Many did this to protect their children, their husbands, and themselves.

In 1985, the first Cherokee woman was elected as Principal Chief of the Cherokee Nation. One of Lou Jane's sons, Lloyd Jernigan, left his home in Texas to travel to Checotah. He broke a family tradition and talked about Cherokee matters to his mother; he broke another family tradition and told his mother what she was going to do. Even in her nineties, no one told Mrs. Jernigan what to do. His message was: "Mom, Wilma Mankiller is to be the next Cherokee chief. I am going to take you to the ceremony." The entire family was shocked and delighted when she agreed. And that day when history was being made for the Cherokee Nation and the tribe was beginning a new era of prosperity, Lou Jane Morgan Jernigan witnessed the ceremony for Chief Mankiller. Further, she was cited and honored as the oldest living Dawes Commission enrollee present at the ceremony. After that day, she talked about her childhood memories, the Cherokee gatherings, and her mother's and grandmother's lessons in living. One Cherokee woman, culturally deprived of her

heritage through sanctions from society, had made her peace with her nation and herself. Her peace was a gift to her family. She gave them permission to find their heritage.

Since the 1980s, the Morgan-Jernigan family has made annual trips from all over the U.S. to return to McIntosh County. Each family member--there are over one hundred direct descendants of Lou Jane Morgan Jernigan--have obtained their CDIB. They have obtained their tribal membership cards. Family members are choosing to retire to their "home place." Some are attempting to buy back the original allotments to be close to their land. The Morgan-Jernigans are returning to the land.

This has been the story of a culturally deprived Oklahoma Cherokee family. This is also the story of an Oklahoma Cherokee family who has chosen to rediscover its culture--who has refused to let the past die--who has chosen not to remain deprived of its culture. This story is one that is being repeated many times over by many families and individuals.

The Cherokee tribe now counts over 148,000 members with over 15,000 Cherokee speakers. This growth is particular important when noting that Wahrhaftig and Thomas (1970) say that there were under 20,000 Cherokees in the late 1960s, and in 1983, there were 50,000 tribal members (Mankiller in Fite, 1993). The 1990 Census Report and the Encyclopedia of World Culture (Volume 1) notes that the Cherokees are the largest tribe in North America. Although Cherokees now have only 1/5 of their original Oklahoma

land, the Nation is vital and growing.

Wahrhaftig and Thomas (1970) note that in the terrible years after the Trail of Tears:

[The Cherokees] created an international wonder: an autonomous Cherokee Nation with its own national constitution legislature, judiciary, school system, publishing house, international bilingual newspaper, and many other trappings of a prosperous Republic. (pp. 44-5)

In the years since the self-determination act was passed, yet another Cherokee revival has occurred that includes both economic and cultural issues. The tribe has begun programs of economical renewal, language and custom restoration, and education to ensure the everyday survival of the tribe among a modern society and the ancestral survival of Tsalagi (Mankiller, 1988; Mankiller in Fite, 1993). Chief Mankiller (in Fite, 1993) says, "The state of the Nation is good." The Cherokee nation survived White contact, losses of land and resources after unsuccessful conflicts, death marches across the southern U.S., the Civil War, the Allotment Act that resulted in the loss of tribal lands, the dissolution of the tribe as a legal entity, and other calamities. Since then, the tribe has reframed itself as the new Cherokees, skillful in survival in current times but rooted in the bedrock of Cherokee beliefs.

The Morgan-Jernigans celebrate their Indianness; they are Cherokee, Deer Clan. They have learned what they lost, and in the learning, they regained their culture. Their early years were culturally deprived; they have stopped the deprivation by

their search for what Lou Jane Morgan Jernigan lost for 75 years. They have defied the plan for cultural genocide by passing on Cherokee beliefs and customs to their children.

In 1826, Boudinot, who fought against the removal of his Cherokee people, said:

I can see my native country, rising from the ashes of her degradation . . . and taking her seat with the nations of the earth. (Buck Waite, also known as Elias Boudinot, 1826, in McLoughlin, 1986)

The tragedy for Cherokee families is not the temporary cultural deprivation that they suffered; the tragedy would be that the cultural deprivation was accepted as reality. One family appears to have chosen to change the future by embracing the past.

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1. Portions of the history of Oklahoma Indians were written by the author in her dissertation, Health Care Communication Between American Indian Women and a White Male Doctor: A Study of Interaction at a Public Health Care Facility (1990, University of Oklahoma); other parts were written with Phil Lujan, Ph.D., Associate Professor of Communication, University of Oklahoma, in an unpublished paper (1989).

2. Rader (1978) conducted extensive interviews and surveys in McIntosh County in both the rural areas and Eufaula and Checotah for his study of the "limiting framework that relegates Blacks and Indians to the role of outsiders" (p. 1).